



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SA
F. #2012R01574

271 Cadman Plaza East
Brooklyn, New York 11201

December 3, 2015

By Hand and ECF

Honorable John Gleeson
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Ahmed et al.
Criminal Docket No. 12 CR 661 (S1)(JG)

Dear Judge Gleeson:

The government writes respectfully to request that the Court adjourn the government's filing deadline and the dates of sentencing in this case for approximately thirty days. As the Court is aware, counsel for the defendants in this case have filed a number of recent lengthy submissions in anticipation of their sentencings, currently scheduled on December 17, for defendants Ahmed and Yusuf, and on December 18, for defendant Hashi.

Specifically, on November 30, 2015, counsel for the defendants filed a sixty-two page joint sentencing memorandum and an accompanying eighty-nine page appendix, in which they objected to significant aspects of the Presentence Investigation Reports ("PSR") issued in this case and in which they raised myriad legal and factual arguments regarding the appropriate sentence for all of the defendants. Additionally, on November 30, counsel for defendant Ahmed submitted a twenty-five page supplemental sentencing memorandum and an accompanying seventy-six page exhibit, in which Ahmed objected to additional aspects of the PSR and raised further legal and factual arguments regarding the appropriate sentence specific to his case. Likewise, on November 30, counsel for defendant Yusuf submitted an additional twenty-five page sentencing memorandum along with thirty-one pages of exhibits, in which Yusuf raised further legal and factual arguments regarding the appropriate sentence specific to his case. Yusuf also included an opinion, obtained from a Swedish attorney, regarding the legality of his client's conduct in that country. Finally, on December 2, counsel for defendant Hashi filed a thirteen-page sentencing memorandum.

The government is currently required to file its response to these submissions, under the current scheduling order, by Monday, December 7. In light of the factual and legal

complexity of the issues raised by counsel, the government believes that a modest thirty-day adjournment of the government's filing deadlines and the sentencing dates in this case would be appropriate here so that the government can fairly and thoroughly address the issues raised by counsel to assist the Court in formally conducting any sentencing analysis pursuant to 18 U.S.C. 3553(a).

Counsel for the defendants have advised that they currently consent to an adjournment of the government's filing deadline until Monday, December 14, and have advised that they intend to meet with their clients on Friday, December 4, to determine whether or not their clients are willing to consent to the approximately thirty-day adjournment requested by the government. Irrespective of the defendants' further consent or lack thereof, the government respectfully requests that the Court enter an order adjourning the government's filing deadline until January 8, 2016, and that the Court schedule sentencing in the case at the end of the month of January, with defendant Hashi to be scheduled in a separate sentencing proceeding subsequent to the sentencing of Ahmed and Yusuf.¹

Respectfully submitted,

ROBERT L. CAPERS
United States Attorney

By: _____ /s/
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Assistant U.S. Attorney
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cc Clerk of Court
Counsel of record, via email and ECF

¹ To the extent that the government receives additional information regarding the defendants' consent, or lack thereof, to this adjournment request, the undersigned will notify the Court immediately.